

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 22-CR-219-JFH

JOHN DAVID BOMAN,

Defendant.

OPINION AND ORDER

Before the Court is a pro se Motion to Transfer to the Bureau of Prisons (“Motion”) filed by Defendant John David Boman (“Defendant”). Dkt. No. 68. Defendant was sentenced on July 26, 2023 and is currently being held at Cimarron Correctional Facility in Cushing, Oklahoma awaiting transfer to a Bureau of Prisons (“BOP”) facility. *See* Dkt. No. 67; Dkt. No. 68 at 1. Defendant expresses concern that his “paperwork must be lost in the system” and complains that until he is transferred to a BOP facility, he is unable to participate in vocational training programs or receive appropriate medical treatment. Dkt. No. 68 at 1.

The Court has provided the United States Marshal with a copy of Defendant’s Motion. The United States Marshal has confirmed that a designation request was submitted to the BOP following Defendant’s sentencing. The BOP must designate a facility for Defendant. Pursuant to 18 U.S.C. § 4086, “United States marshals shall provide for the safe-keeping of any person arrested or held under the authority of any enactment of Congress pending commitment to an institution.” Therefore, Defendant will remain in the custody of the United States Marshal pending transfer to a BOP facility. Defendant has cited no authority, nor is the Court aware of any authority, which would support his request that the Court assume control of the conditions of his confinement. Nonetheless, the Court understands Defendant’s request and the reasons for it. Accordingly, the


Court directs the United States Marshal to make a request to the BOP to expedite the designation of a facility for Defendant.

IT IS THEREFORE ORDERED that Defendant's Motion to Transfer to the Bureau of Prisons [Dkt. No. 68] is DENIED.

IT IS FURTHER ORDERED that the United States Marshal shall make a request to the BOP to expedite the designation of a facility for Defendant.

IT IS FURTHER ORDERED that the Clerk's Office is directed to provide a copy of this Order to the United States Marshal.

Dated this 6th day of December 2023.



JOHN F. HEIL, III
UNITED STATES DISTRICT JUDGE